

REMARKS**Summary of the Office Action**

The Office Action states that the title is “not descriptive” and thus requires a new title.

Claim 1 is rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,602,814 to Jaquette et al. (hereinafter “Jaquette”).

Claims 2-4 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Jaquette in view of U.S. Patent No. 6,480,450 to Fujii et al. (hereinafter “Fujii”).

Claims 5 and 6, while objected to as being dependent upon a rejected base claim, would be allowable if rewritten in independent form.

Summary of the Response to the Office Action

Applicants have incorporated the limitations of allowable claim 5 into independent claim 1. Accordingly, claim 5 has been canceled without prejudice or disclaimer. Applicants have amended claims 1-4 and 6 to differently describe embodiments of the invention and to improve the form of the claims. Accordingly, claims 1-4 and 6 remain pending for consideration. The title has been amended in accordance with the requirement for a new title.

Requirement for a New Title

The Office Action states that the title is “not descriptive” and thus requires a new title. The title has been amended in accordance with the Office Action’s requirement. Accordingly, withdrawal of the requirement for a new title is respectfully requested.

Rejections under 35 U.S.C. §§ 102(b) and 103(a)

Claim 1 is rejected under 35 U.S.C. § 102(b) as being anticipated by Jaquette. Claims 2-4 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Jaquette in view of Fujii. Claims 5 and 6, while objected to as being dependent upon a rejected base claim, would be allowable if rewritten in independent form.

Applicants have incorporated the limitations of allowable claim 5 into independent claim 1. Accordingly, claim 5 has been canceled without prejudice or disclaimer. As a result, Applicants respectfully submit that independent claim 1, as newly-amended, is now in condition for allowance. Moreover, dependent claims 2-4 and 6 are allowable at least because of their dependence from allowable independent claim 1. Accordingly, Applicants respectfully request that the rejections under 35 U.S.C. §§ 102(b) and 103(a) be withdrawn. Applicants also respectfully request that the objections to claims 5 and 6 be withdrawn.

In addition, Applicants have amended claims 1-4 and 6 to differently describe embodiments of the invention and to improve the form of the claims. For example, claim 4 has been amended by deleting the phrase “immediate behind the mark of the pair of mark and space,” and by inserting the phrase “at the end of a number of subsequent pulses corresponding to a mark length,” so as to be more consistent with the teachings in the specification. In this regard, the specification describes at page 3, lines 4-9 that the strategy data includes a top pulse, multi-pulses and a cool pulse. Figs. 2B and 15B also provide a cool pulse at the end of a number of subsequent pulses corresponding to a mark length of “3T MARK.”

Additionally, Applicants have amended claim 6 to add the phrase “the write pulse signal further includes a cool pulse at the end of a number of subsequent pulses,” and to include the phrase “between the write beam intensity signal and each of the leading, subsequent and cool

pulses,” so as to be more consistent with the teachings in the specification. In this regard, the specification describes at page 17, lines 6-26 that the phase comparators 8a, 8b and 8c (see, for example, Fig. 11) outputs three detection signals D8a, D8b and D8c respectively, these detection signals D8a, D8b and D8c representing three phase differences between the monitoring signal D4 and each of the recordation top pulse signal D7a, recordation multi-pulse signal D7b and recordation cool pulse signal D7c. Applicants note that, as described in the specification and shown in Fig. 11, for example, the top detection signal Da, multi detection signal Db and cool detection signal Dc are generated from the monitoring signal D4.

CONCLUSION

In view of the foregoing remarks and amendments, Applicants respectfully request reconsideration and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants’ undersigned representative to expedite the prosecution.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required,

including any required extension of time fees, or credit any overpayment to Deposit Account

50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR**

EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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Dated: August 19, 2004

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